IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

NOTICE OF MOTION NO.2679 OF 2006
IN
APPEAL (Lodging) NO.498 OF 2006
IN
NOTICE NO.649 OF 2005
IN
EXECUTION APPLICATION NO.159 OF 2005
IN
SUIT NO.1586 OF 1982

Texmaco Limited — Appellants
vs.
Prakash Cotton Mills Pvt.Ltd. — Respondents

Mr.Akhar Rizvi i/b.M/s.Mulla & Mulla for the appellants.

None for the respondents.

CORAM : DR.S.RADHAKRISHNAN &
ANOOP V. MOHTA,JJ.

DATED : 26th November, 2007

P.C.

Heard the learned counsel for the appellants.

2. By this Notice of Motion, the Appellants are seeking condonation of 3 days delay in filing the above Appeal. We have perused the affidavit in support of the notice of motion and the affidavit in reply especially for the reasons stated in the affidavit in support of notice of motion, sufficient cause has been made out for condoning the delay in filing the above Appeal. There is no case of inaction, negligence or want of bonafide on the part

of the appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

[ANOOP V. MOHTA,J.] **[DR.S.RADHAKRISHNAN, J.]**